



**SPECIAL COMMON COUNCIL MEETING
FEBRUARY 6, 2011
6:00 P.M.**

Regular Meeting The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, January 3, 2012 at 6 p.m.

Present Mayor Daniel T. Drew, Council Members Thomas J. Serra, Ronald P. Klattenberg, Mary A. Bartolotta, Gerald E. Daley, Robert P. Santangelo, Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, and Deborah A. Kleckowski, Corporation Counsel Daniel B. Ryan, Sergeant-at-Arms Acting Chief of Police McKenna, and Council Clerk Marie O. Norwood.

Absent Corporation Counsel Daniel B. Ryan.

Also Present Public Works Director Bill Russo, Finance Director Carl Erlacher, Director of IT William Oliver, Health Director Joseph Havlicek, Human Relations Director Faith Jackson, Personnel Director Debra Milardo, Parking Director Geen Thazhampallath, Planning, Conservation, and Development Director William Warner, Water and Sewer Director Guy Russo, Fire Chief Gary Ouellette, Acting City Attorney Timothy Lynch, Acting Chief of Police William McKenna, City and Town Clerk Sandra Driska, Emergency Management Director Bruce Driska, Facilities Manager Ken Jackson, John Hall, and 6 members of the public.

Meeting Called to Order The Chair calls the meeting to order at 6:06 p.m. and leads the public in the pledge of Allegiance.

Call of Meeting Read The Call of the meeting is read and accepted. The Mayor declares this call a legal call and the meeting a legal meeting.

Workshop Opens The Chair opens the workshop at 6:06 p.m. and asks if there are any questions to directors.

Councilwoman Kasper asks for Debra Milardo, Personnel Director regarding the proposal to hire a company to collect parking violation fees and this job was done previously by City employees. Ms Milardo responds yes it was; when parking was under auspices of police, the Chief Records Clerk had this job function as part of the daily duties and when the job functions changed and when they separated from the Police Department, the way she understands it, in order for the function to be done by an individual within the bargaining unit, they have to be housed with the Police according to NCIC standards. Councilwoman Kasper states I think the Mayor had a committee looking at different efficiencies and saving money and I think if they choose to have the City move it back into the Police Department and we hire this company, there would be a violation under the 466 contract. Ms Milardo replies if you disband the parking and move it back under the auspices of the Police Department, it would cause concern for the Union. It is a standalone department and the function cannot be done by the Parking Department and not part of Police and if there is a merger to move it back in, there would be concern. Councilwoman Kasper asks if we just move it back would it qualify for NCIC. Ms Milardo replies you have to look whether it has to be merged or housed. Councilwoman Kasper asks to address questions to Acting Chief McKenna. She states if the committee makes a recommendation to move the Parking Department into the Police Department, would it qualify to use NCIC. Acting Chief McKenna states they would have to be recertified and it has to be in the Police Department in order to run it.

Councilman Santangelo asks to address questions to the same director,

Noted for the Record Councilwoman Bartolotta takes her seat in the Chamber at 6:10 p.m.

Councilman Santangelo states regarding NCIC qualification; dispatchers are all NCIC qualified. Acting Chief McKenna responds yes. Councilman Santangelo states it is a course they take; it is a recertification course run by Collect at the State Police and employees in Parking were certified NCIC and when they left they could no longer have a terminal outside the Police Department. He states if we hired this company, how does it outside do this and NCIC has to be housed at Police or Dispatch. How does the outside company do it. Acting Chief McKenna states they don't use NCIC but probably use other search engines. There are other things and or subscriptions you can apply to and if you have an accident, it is public record

and can be researched. It is a public system. It won't be NCIC. Councilman Santangelo states in your opinion is it important to have NCIC or they are just parking tickets. Acting Chief McKenna states this company could get some information they are looking for; NCIC is the most updated and it is a felony if you misuse it. It is up to the Parking Director. Councilman Santangelo states we should speak with him.

Councilwoman Salafia states the only way parking can use it is if they become part of the Police Department. Acting Chief McKenna replies if they are in the Police Department. They have to be inside the Police Department. Councilwoman Salafia states the terminal has to say in the Police Department. Can we send a parking employee over there. Acting Chief McKenna thinks yes, they would use the terminal there and be recertified.

Councilman Klattenberg states the \$40,000 adjustment is occurring and is not additional funding and asks that John Hall come forward to address it. Mr. Hall responds when Honeywell was set up there were certain projects in the Water and Sewer Department and in the general fund and there was someone to be stationed at the Water Pollution Control and a lot of improvements were not completed because the facility was going to be decommissioned and the computer for that was charged to Water and Sewer and it was put in at City Hall. Tina Gomes thought that was unfair and the computer should be removed from the Water and Sewer bond and should be put into the general fund bond. Councilman Klattenberg asks with the change, is the project done. Mr. Hall responds there are some lingering items at the Police Department and a number of issues at the building and Honeywell will install a variable speed drive and the motor or some aspect of the equipment not part of Honeywell is being repaired and until it is repaired, Honeywell can't complete it.

Noted for the Record

Councilman Serra takes his seat in the chamber at 6:17 p.m.

Councilman Klattenberg states this is an accounting issue. Mr. Hall responds yes it is.

The Chair asks if there are further questions for directors. Councilman Klattenberg would like to ask questions of the Parking Director, Geen Thazhampallath. Mr. Thazhampallath comes forward to respond. Councilman Klattenberg states looking over the resolution can you explain what you are looking for and hiring that company and using them instead of sending employee over to use NCIC. Mr. Thazhampallath states we are working on an honor system and for every 10 tickets issued, we are being paid for six and 4 out of ten we might as well throw away. We don't have their addresses and the current system is an offshoot of a Hunt system and it was purchased and installed at the Police Department and had a fatal flaw. They no longer provide maintenance to this data base and it is elemental what it does. We hand write tickets and transpose them into the database manually and walk around with lists instead of electronic data. This company is specific; they ticket and bill in relation to parking tickets. What they have is contractual relationship with the DMV. We believe we have hundreds of thousands of dollars of tickets that we have put in the system but can't follow up on them. It will become a mechanism to cull through that file of data and find the people who do not pay their tickets. It could drive our ticket collection to 95% instead of 60%. They will provide the hardware and software. We will move to hand held devices to use electronic tickets. Someone asked about how they go about having a relationship between the company and the 50 states.

Noted for the Record

Councilman Faulkner takes his seat in the chamber at 6:22 p.m.

Mr. Thazhampallath continues that it is his interpretation that it is not being housed at the Police Department. We would have to merge into the Police Department under the authority of the Police Chief.

Councilwoman Bartolotta asks if he has accurate statistics to base this cost on. Mr. Thazhampallath states we did the research and looked back at our numbers. We can go through the files and look at the revenues we booked. In the 2011 budget receipts were \$284,000 and the Department issued tickets at \$405,000. From there if he raises his collection rate, actual revenues would be \$365,000 and 90% would be \$385,000. He is bringing a solution for many of the ills the department has. This information is very accurate. Councilwoman Bartolotta states she would like a copy of that. She is looking at the costs other towns are being charged and she would like to see the cost of this and if it will be off set. Mr. Thazhampallath responds what we designed with Bill Oliver and the company is they will get 14% of all tickets. We have a pool of tickets we are not collecting a dime on and if we collect 20% of those, you take that and after we sign the contract, they get 8% and the fee. We estimate they will make between fee and 8% they make \$45,000 and we will make much more. We will pay for it with collecting those fees. The 20% they are getting will be paid two to threefold back to the City.

Councilwoman Bartolotta asks what the collection rate is, what is their success rate. Mr. Thazhampallath replies they have towns at 95%. The system will get us there. Councilwoman Bartolotta asks for a copy this evening.

The Chair asks if there are further questions and recognizes Councilwoman Kasper who has questions for this director. She states that she asked at Finance and Government Operations what the numbers are and she is not sure the \$17,000 fee is worth it with the 8% based on other percentages. She would like to see the percentage rate in other cities. You talked about the dispatch and when the system was put in and can it accommodate your needs and should it have been done when the new system was put in. Mr. Thazhampallath states he will provide the data. He feels more confident after doing this exercise and the request for a bid waiver and the right company. He will defer to Bill Oliver to the second piece of your question. He is jury rigging the system to get the information out. What the firm would do is make it process driven and IT driven and Bill can speak to what his Department has done to keep us afloat.

Noted for the Record

Councilman Pessina takes his seat in the chamber at 6:29 p.m.

Bill Oliver states it was specifically decided looking at the new system to not look for one system to solve all of the problems. Parking enforcement is not done as part of Police or Public Safety activities across the country and there are companies that do this to enforce parking. Councilwoman Kasper states we can add a system to do it in-house. Mr. Oliver states we would have to build it from scratch.

Councilman Klattenberg states as a follow up to the Parking Director, a question came up about whether employees needed to reside in the Police Department or not and it was left initially that an employee could go to the Police Department and become certified and use the desk but you made the statement that the Department that it has to be incorporated.

Mr. Thazhampallath states Bill can address this and we are going under the interpretation of State rules and it is a secure system and you need the proper certification for law enforcement and it is not used just for ticketing. The reason for creating a Parking Services department was it needed to have the ability to grow and prosper economically rather than grow under the Police Department and it has its dividends. The Department has grown in terms of revenue and we are on the threshold of bringing in \$1 million. Councilman Klattenberg states if this company is hired, then why do you need NCIC and not use their system. Mr. Thazhampallath states that is what we will be doing. I am not looking into using the Police Department. I am looking at this company and its contractual issues with the other 50 states. Councilman Klattenberg states that was not clear and going forward you don't need NCIC. Mr. Thazhampallath states it is a legal and State statutory question on its use. Mr. Oliver states he had many meetings with the State police and one of the things we discovered is that the State doesn't want parking enforcement done with NCIC and he is not sure it is statutory, but it is the rules employed by the State Police. You have to work there or have a request written by the Police Chief and we can only use those machines in the Police Department or Dispatch and this function is not one that you have to use NCIC for and you should use other parking enforcement and not NCIC. It is not just a collection of old parking tickets, but a management system for parking and they provide all hardware and software and all connections at the DMV. We get to design the enforcement letters and it is all inclusive in this one fee. It is more than collection.

Councilman Serra asks what they are collecting now. Mr. Oliver states on past tickets, we are collecting -0-. Councilman Serra asks what they have collected in the past 7 years. Mr. Thazhampallath responds last year it was \$284,000 in revenue, but tickets were over \$400,000. Councilman Serra asks how long it has been happening. Mr. Thazhampallath responds since Middletown has been doing parking. It is \$100,000 for the last ten years, staggering amounts. Councilman Serra states if we did this ourselves, you would have to be certified NCIC and more staff. Mr. Thazhampallath responds no question. He has one chief records clerk, one enforcement officer, and Roger, a jack of all trades. Councilman Serra states we will be collecting money we have not been collecting; and if we don't, we still would not be collecting violations. Mr. Thazhampallath states it could be worse since I said it was an honor system. If we have your data to follow up, even the following up, could be cumbersome. If you came to dinner here and got a parking ticket, you might as well tear it up if I don't have your address. Councilman Serra states this is a three year contract and we can see what you collect. He asks if there is termination. Mr. Thazhampallath replies it is standard language. Councilman Serra states bottom line, it is about \$1 million in the last ten years for various reasons. Most important is the system and this company has it. Mr. Thazhampallath states they are in Tarrytown

and have a full complement of it people. Councilwoman Bartolotta has additional questions; she asks if it has gone through a bidding process; Mr. Thazhampallath states they are asking for a bid waiver. They are the number one and there are very few companies that just do parking and billing. We did the research and we visited several towns and they utilize this along with major universities and a town did an RFP on this issue and on the respondents, two or three had multiple offerings in different industries. This company is the number one company for this service and he had this discussion with the Standardization Committee and they asked that question and he brought that information to them and they voted 3-0 to support this. Another City in Connecticut had been through the process and chose this. Councilwoman Bartolotta asked if they did that. Mr. Thazhampallath states there were four respondent, and two were dismissed and out of the two, this one was by far ahead of the other. Their hand held technology, the other company did not have that.

Councilwoman Kasper asks to address question to the Acting City Attorney, Tim Lynch. She states we have hear conflicting answers in regard to NCIC and how it can be used and we would have to bring parking under the Police Department or can someone just go over and use it in the Police Department. Attorney Lynch responds his understanding is what Bill Oliver explained to you. Councilwoman Kasper states they would have to be housed in the Police Department and certified Police Personnel and everyone would have to be certified to use the system. Attorney Lynch states Councilman Pessina could explain. Councilman Pessina states you have to be a sworn officer, certified dispatcher and trained on it every three years and not use it for personal use. It is for criminal use. Attorney Lynch states an employee was terminated for misusing it.

The Chair asks if Councilman Faulkner has a question. Councilman Faulkner asks what the statute of limitations is on the parking tickets; Attorney Lynch responds he doesn't know. Councilman Faulkner asks if the State has facilities. Attorney Lynch states for taxes, we can use the DMV. Mr. Thazhampallath states there is no statute of limitations on tickets; in the last two months, he had a town vendor with tickets and they can enforce them.

Councilwoman Bartolotta asks the Acting City Attorney regarding the tickets going for ten years without being reported; can you have your registration held up if you don't pay your tickets and why haven't we forwarded the information to Wethersfield. Mr. Thazhampallath states we do use the process with registration holds to the extent we have the data to follow up and in many cases we don't have that. We are talking about tickets and we would have to manually match the data with every citizen. We would like to use electronic data. There are numerous cases with outstanding tickets that we sit on. Councilwoman Bartolotta states it is not -0-. I wanted to clarify that. It was misleading if you state -0- collection and there is a way to follow-through with the tickets. Mr. Thazhampallath states they could do more.

Councilwoman Bartolotta asks to address questions to Damon Braash, Tax Assessor. She states her question is the tax relief ordinance that went to Finance and they had some questions and concerns that you verbalized and do we have those changes this evening; I don't see them. Mr. Braasch states he gave a copy to Marie Norwood and the changes were to remove the income guidelines grid as it is spelled out and the chart underneath that which shows the State Statute and if the State changes it, we would have to redo the ordinance. He gives a copy to the Councilwoman.

The Chair asks if there are further questions for this director and recognizes Councilman Faulkner. He states yes, he asks about the fact that we focus on income and he wondered if there were some guidelines on wealth. Mr. Braasch states the program we now have has one phase and this would be a three phase program and there is an asset limitation and others are not. There is a local option credit in addition to the State benefits which is between \$50 and \$200. There is no asset limitations for that. The second one which is new is a local option freeze; there is an asset limitation of \$125,000 so excluding the house, you cannot have more than \$125,000 additional assets; the last is a deferment and you would not pay taxes and would be paid at the sale of the house or through probate and that has a limitation that you cannot have a deferment more than the assessed value of the property.

Councilwoman Bartolotta asks for the Personnel Director. Debra Milardo comes forward. Councilwoman Bartolotta states she wanted to clarify a Personnel Review Committee resolution and states that the salary grade for the Maintenance Worker is staying the same and she thought it was going down. The Personnel Director states it was the Carpenter position that was devalued and the Maintenance Worker was only a change in the job

description. Councilwoman Bartolotta states there was someone from the Board of Education that was representing this. Ms Milardo states I will verify and bring it back next month.

Noted for the Record

Councilman Daley takes his seat at the meeting at 6:50 p.m.

Workshop Closes

The Chair asks if there are any other questions for directors. Seeing none, he closes the workshop at 6:53.

Motion to Adjourn

Councilman Serra moves to adjourn and his motion is seconded by Councilman Klattenberg. The vote is called and it is unanimous to approve. The Chair declares the meeting adjourned at 6:53 p.m.

ATTEST:

MARIE O NORWOOD
Common Council Clerk